

operator shall not require the use of any his authorized representative finds to be protective device or system, including hazardous or cause a hazard to the personal devices, which the Secretary or miners in such mine.

FIGURE 1

MINE DATA CARD

Sample No. _____	Initial Wt. _____
Mine ID No. _____	Final Wt. _____
Section ID No. _____	Sampling time (Min.) _____
Miner's SSA No. _____	Date _____
Occupation _____	Tons this shift _____
Type of Sample: _____	
High risk _____	Nonhigh risk _____
Intake air _____	
Face ventilation: _____	
Exhaust _____	Blowing _____
Aux. _____	Brattice _____
Type of Mining: _____	
Development _____	Retreat _____
Method of Mining: _____	
Continuous _____	Conventional _____
Longwall _____	
Other _____	
Check if section will close before next sampling cycle. _____	
Signature: _____	
(Miner Sampled) _____	
(Mine Official) _____	

[F.R. Doc. 70-4100; Filed, Apr. 2, 1970; 8:51 a.m.]

Title 49—TRANSPORTATION

Chapter I—Hazardous Materials Regulations Board, Department of Transportation

[Docket No. HM-9; Amdt. Nos. 173-20, 178-10]

PART 173—SHIPPERS

PART 178—SHIPPING CONTAINER SPECIFICATIONS

New Steel Drum Specification

On August 1, 1969, the Hazardous Materials Regulations Board published miscellaneous amendments to the Department's Hazardous Materials Regulations in the FEDERAL REGISTER (34 F.R. 12588). In the preamble to those amendments, the Board stated that final action on the proposed new steel drum specification 17M was being delayed pending a study of the effects of the bottom head embossing on the integrity of the drum. This study has now been completed.

The study revealed that, although there was only one reported case of leakage in transportation where failure of the bottom head could be related to the presence of embossing marks, the potential for failure is nevertheless present and real. Three primary factors are involved—the depth, shape, and location of the letters. Letters which are too deep, have sharp edges, or are located too close to the knuckle radius of the drum, could result in stress risers which would, in turn, be potential failure points under dynamic load vibration conditions.

After consulting with the National Bureau of Standards and representatives of the steel drum manufacturers, the Board has determined that adequate safety would be provided if certain restrictions were placed on the application of the embossing marks. These restrictions would limit the depth of the embossing marks, prohibit the use of dies having sharp edges or corners, and require the marks to be located at least 4

inches away from the chime. These proposed restrictions were reviewed by the Steel Shipping Container Institute, and were considered reasonable by that group. The restrictions have already been incorporated by the only firm presently manufacturing steel drums to the proposed specification. Therefore, including the restrictions in the proposed drum specification would impose no burden on the drum manufacturer. In view of the agreement by the affected industry, the Board considers it reasonable to include the restrictions in the proposed specification, and to authorize the use of those drums accordingly. These amendments establish the new specification and make provision for the use of drums made to that specification.

The specification number—17M—previously proposed for the drum falls within the specification series for single-trip drums. Since the specification in fact specifies a nonreusable drum, the specification has been renumbered to 37D—the 37 series being reserved for nonreusable drums.

Since the manufacturer's specification for the drum require steel which actually is 23-gage rather than 24-gage as proposed, and since all proof tests were performed on 23-gage drums, the specification now requires at least 23-gage steel.

Interested persons were afforded an opportunity to participate in this rule making action by commenting on the proposed specification and use. In view of agreement by the affected manufacturer, and since due consideration was given to all relevant matter presented, further notice and public procedure on the amendments made herein are unnecessary.

In consideration of the foregoing, Title 49 of the Code of Federal Regulations is amended, effective July 1, 1970, as follows:

I. Part 173 is amended as follows:

(A) In § 173.24 a new entry is added in the table in subparagraph (c)(2) as follows:

§ 173.24 Standard requirements for all packages.

(c) * * *

(2) * * *

Gauge number	Nominal thickness (inches)	Minimum thickness (inches)
23	0.0200	0.0239

(B) In § 173.128 subparagraph (a) (5) is added to read as follows:

§ 173.128 Paints and related materials.

(a) * * *

(5) Spec. 37D (§ 178.137) nonreusable steel drums. Authorized only for materials not exceeding 10 pounds per gallon and having a flash point above 20° F.

II. Part 178 is amended as follows:

(A) In the Table of Contents § 178.137 is added to read as follows:

178.137 Specification 37D; steel drum. Nonreusable container. Open-head not authorized.

(B) Section 178.137 is added to read as follows:

§ 178.137 Specification 37D; steel drum. Nonreusable container. Open-head not authorized.

§ 178.137-1 General requirements.

Each drum must meet the applicable requirements of § 173.24 of this chapter.

§ 178.137-2 Rated capacity.

(a) Rated capacity is 55 gallons, as marked (see § 178.137-6).

(b) Actual capacity must be the rated capacity plus 4-5 percent.

§ 178.137-3 General construction requirements.

(a) *Chime reinforcement.* The top and bottom chimes must be reinforced with a steel band that is an integral part of the double seam and which provides a chime cross section containing at least eight layers of steel. The reinforcing band must follow and support the knuckle radius of the head with the inside edge upturned so that the edge does not contact the adjacent portions of the head.

(b) *Seams.* The body side seam must be welded.

(c) *Sidewall construction.* A continuous series of parallel, geometrically similar circumferential beads must be expanded in the drum sidewall so that the surface length of the steel in the axial direction does not change more than 1 percent during forming.

(d) *Steel thickness.* (1) The thickness of the body and heads of the finished drum must be at least 23-gage.

(2) The chime reinforcement must be made of at least 18-gage steel.

(e) *Heads.* Heads must be flat. Open-head drums are not authorized.

§ 178.137-4 Closure.

(a) The closing part (plug, cap, plate, etc.) must be of steel at least 23-gage thickness, or other material of equivalent strength. Gaskets are required. Cap seals may be placed over the closure.

(b) For closures with threaded plug or cap, the seat (e.g., flange) for the plug or cap must have three or more threads. Two drainage holes of not over 1/16-inch diameter are authorized. The plug or cap must have a sufficient length of thread to engage at least three threads when securely tightened with the gasket in place.

(c) The maximum permitted closure opening is 2.7 inches in diameter.

§ 178.137-5 Defective drums.

Defects or damage must be repaired by the method used in constructing the drum. Soldering is not authorized.

§ 178.137-6 Marking.

(a) Marking must be as prescribed in § 173.24 of this chapter.

(b) The marking on each drum must be by embossing on the bottom head with raised marks as follows: "DOT-37D NRC"; and the gage of the metal of the drum in the thinnest part, the rated capacity of the drum in gallons, and the year of manufacture (e.g., 23-55-70). When the gage of the metal in the drum wall differs from that in the head, both must be indicated with a slanting line between, and with the gage of the wall indicated first (e.g., 23/22-55-70).

(c) The minimum height of the letters and numerals shall be three-fourths inch.

(d) The depth of embossing must be at least 0.015 inch and not more than 0.025 inch, but in no case may the depth exceed the thickness of the metal sheet being embossed. The dies used to form the embossing marks must be free of sharp edges or corners that might cause a stress riser in the mark. The embossing marks must be at least 4 inches from the outside edge of the chime.

§ 178.137-7 Tests.

(a) Each drum must be capable of withstanding the prescribed tests without leakage of contents.

(b) Samples which are taken at random and closed as for use must be tested as prescribed in subparagraphs (1) and (2) of this paragraph without leakage. Tests are to be made of each type and size by each manufacturer starting production and are to be repeated at least every 4 months thereafter. The samples last tested must be retained by the manufacturer until further tests are made or for 1 year, whichever period is shorter.

(1) **Drop test.** Test by dropping, filled with water to 98 percent capacity, from a height of 4 feet onto a solid unyielding surface (e.g., concrete or steel) so as to strike the surface diagonally on the chime. Additional similar drops must be made on any other parts of the drum which might be considered weaker than the chime. Closing devices and other parts projecting beyond the chime or

sidewall beads must also be capable of withstanding this test.

(2) **Pressure test.** Hydrostatic pressure test of at least 15 pounds per square inch, sustained without pressure drop for at least 5 minutes.

(c) **Leakage test.** Each drum must be tested for leakage with seams under water, or covered with soapsuds or heavy oil, or equivalent material. Interior air pressure of at least 7 pounds per square inch must be applied, and the seams and chimes examined for evidence of leakage. Leaking drums must be rejected, or repaired (see § 178.137-5) and retested.

(Secs. 831-835, Title 18, United States Code; sec. 9, Department of Transportation Act, 49 U.S.C. 1657; title VI and section 902(h), Federal Aviation Act of 1958, 49 U.S.C. 1421-1430 and 1472(h).)

Issued in Washington, D.C., on March 27, 1970.

W. J. SMITH,
Admiral, U.S. Coast Guard
Commandant.

R. N. WHITMAN,
Administrator,
Federal Railroad Administration.

F. C. TURNER,
Administrator,
Federal Highway Administration.

SAM SCHNEIDER,
Board Member, for the
Federal Aviation Administration.

[F.R. Doc. 70-4042; Filed, Apr. 2, 1970;
8:46 a.m.]

**Chapter X—Interstate Commerce
Commission**

[Ex Parte No. MC-10 (Sub 8)]

**PART 1056—TRANSPORTATION OF
HOUSEHOLD GOODS IN INTER-
STATE OR FOREIGN COMMERCE**

**Practices of Motor Common Carriers
of Household Goods; Correction**

MARCH 31, 1970.

The purpose of this Correction Notice is to point out the corrections which should be made in Part 1056 published in the FEDERAL REGISTER (35 F.R. 4754) on March 19, 1970. The corrections are as follows:

In § 1056.6(a)(2), second sentence, the following should be inserted after the word "report": "on a report form prescribed by the Commission".

At the end of § 1056.6(a)(2) the following sentence should be added: "This report shall be filed within 30 days after the end of the quarter to which it relates."

In § 1056.6(d), first sentence, a comma should be inserted after the word "date" and the words "or the first day of the period of time for delivery specified in the bill of lading," should be deleted.

In § 1056.7, first sentence, after the words "form BOP 103" the following words should be inserted, "and obtain a receipt therefor".

In § 1056.8(b), line 17, the words "at least" should be deleted.

In § 1056.10(b)(6), the words "vehicle onto which the shipment is loaded and the number of the" should be inserted after the words "the number of the". In § 1056.13, third sentence, the word "redelivery" should be inserted after the words "responsibility for the charges for".

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 70-4083; Filed, Apr. 2, 1970;
8:50 a.m.]

**Title 50—WILDLIFE AND
FISHERIES**

**Chapter I—Bureau of Sport Fisheries
and Wildlife, Fish and Wildlife
Service, Department of the Interior**

PART 33—SPORT FISHING

**Tishomingo National Wildlife Refuge,
Okla.**

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

**§ 33.5 Special regulations; sport fishing;
for individual wildlife refuge areas.**

OKLAHOMA

TISHOMINGO NATIONAL WILDLIFE REFUGE

Sport fishing on the Tishomingo National Wildlife Refuge, Tishomingo, Okla., is permitted only on the area designated by signs as open to fishing. These open areas, comprising 10,000 acres, are delineated on maps available at refuge headquarters, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306; Albuquerque, N. Mex. 87103. Sport fishing shall be in accordance with all applicable State regulations subject to the following condition:

(1) The open seasons for sport fishing on the refuge extend from January 1 through December 31, 1970, inclusive, on the waters of Lake Texoma east of the north-south centerline of secs. 19, 30, and 31, T. 4 S., R. 7 E., and in Rock Creek, Polecat Creek, Bell Creek, Big Sandy Creek, Dick's Pond, and Goose Pen Pond; from April 1 through September 30, 1970, inclusive, for waters of Lake Texoma west of the north-south centerline of secs. 19, 30, and 31, T. 4 S., R. 7 E.; and from January 15 through September 30, 1970, inclusive, for all other refuge waters.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through December 31, 1970.

ERNEST S. JEMISON,
Refuge Manager, Tishomingo
National Wildlife Refuge,
Tishomingo, Okla.

MARCH 16, 1970.

[F.R. Doc. 70-4026; Filed, Apr. 2, 1970;
8:45 a.m.]